

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TERRANCE E. WILLIAMS,

Plaintiff,

v.

NNCC, *et al.*,

Defendants.

Case No. 3:22-cv-00531-ART-CLB

ORDER

I. DISCUSSION

On February 15, 2023, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), filed an application to proceed *in forma pauperis*. (ECF No. 6). Plaintiff’s application to proceed *in forma pauperis* is incomplete. Plaintiff has not submitted page 3 of the application, i.e. the penalty of perjury page, with his two signatures.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. Special R. 1-1.

For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. Special R. 1-2. *In forma pauperis* status does not relieve an inmate of his

1 or her obligation to pay the filing fee, it just means that the inmate can pay the fee in
2 installments. See 28 U.S.C. § 1915(b).

3 As explained above, Plaintiff has not submitted page 3 of the application, the
4 penalty of perjury page. The Court gives Plaintiff **until April 28, 2023**, to either pay the
5 filing fee or submit page 3 of the application.

6 **II. CONCLUSION**

7 **IT IS THEREFORE ORDERED** that Plaintiff has **until April 28, 2023**, to either pay
8 the full \$402 filing fee or file the penalty of perjury page with the inmate's two signatures
9 on page 3.

10 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
11 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
12 to refile the case with the Court, under a new case number, when Plaintiff can file a
13 complete application to proceed *in forma pauperis* or pay the required filing fee.

14 The Clerk of the Court is directed to send Plaintiff the approved form application to
15 proceed *in forma pauperis* for an inmate and instructions for the same.

16 **DATED:** March 30, 2023

17 
18 **UNITED STATES MAGISTRATE JUDGE**